

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Bernd Riedl et al.

Serial No. : 09/993,647

Examiner: Deepak R. Rao

Filed : November 27, 2001

Group Art Unit: 1624

Title :  $\omega$ -CARBOXYARYL SUBSTITUTED DIPHENYL UREAS AS  
RAF KINASE INHIBITORS

**Declaration under 37 CFR § 132**

**MAIL STOP NON FINAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We, the undersigned, being duly warned declare that:

We are co-inventors named in the above-identified application.

We are co-inventors of subject matter disclosed in US PROVISIONAL APPLICATION  
NUMBER 60/367,346 filed on November 28, 2000.

We have reviewed method claims 74, 81, 87, 93, 99, 100-104, 106-115 and 117-119 now  
pending in the above application and we believe we are the co-inventors of the subject  
matter of all claims (claims 74, 81, 87, 93, 99, 100-104, 106-115 and 117-119) therein.

We invented the subject matter of claims 74, 81, 87, 93, 99, 100-104, 106-115 and 117-  
119 at least as early January 13, 1999, as evidenced by compound numbers 42 and 43  
within the tables of US PROVISIONAL APPLICATION NUMBER 60/115,877, filed on January  
13, 1999, and other portions of the disclosure within the specification of US PROVISIONAL  
APPLICATION NUMBER 60/115,877, such as, for example, portions pertaining to  
pharmaceutically acceptable salts of the compounds disclosed (see, for example, page 6,  
line 25 through page 7, line 5) the preparation and use of medicaments with the  
compounds disclosed (see, for example page 11, line 9 through page 16, line 2) and the  
treatment of solid tumors, carcinomas, including carcinomas of the lungs, pancreas,  
thyroid, bladder or colon, myeloid disorders, adenomas, including villous colon adenoma,  
with the compounds disclosed (see for example, page 2, lines 5-14).

Any description of the subject matter of claims 74, 81, 87, 93, 99, 100-104, 106-115 and 117-119 within the following applications, assigned to the same assignee as the present invention, is a description of our invention.

US 60/115,878, FILED 01/13/1999;  
US 60/115,877, FILED 01/13/1999;  
US 9/257,265, FILED 02/25/1999;  
US 09/257,266, FILED 02/25/1999;  
US 09/425,228, FILED 10/22/1999;  
US 09/425,229, FILED 10/22/1999;

PCT/US 00/00768, FILED 01/13/2000;  
PCT/US 00/00648, FILED 01/13/2000;

US 09/722,418, FILED 11/28/2000;

US 09/758,266, FILED 01/12/2001;  
US 09/758,548, FILED 01/12/2001;  
US 09/758,549, FILED 01/12/2001;  
US 09/773,659, FILED 02/02/2001;  
US 09/773,675, FILED 02/02/2001;  
US 09/773,672, FILED 02/02/2001;  
US 09/773,658, FILED 02/02/2001;  
US 09/773,604, FILED 02/02/2001;  
US 09/777,920, FILED 02/07/2001;  
US 09/889,227, FILED 07/12/2001;  
US 09/907,970, FILED 07/19/2001;  
US 09/948,915, FILED 09/10/2001;  
US 09/993,647, FILED 11/27/2001;  
US 60/334,609, FILED 12/03/2001;

US 10/042,226, FILED 01/11/2002;  
US 10/071,248, FILED 02/11/2002;  
US 60/354,950, FILED 02/11/2002;  
US 60/354,937, FILED 02/11/2002;  
US 10/086,417, FILED 03/04/2002  
US 10/308,187, FILED 12/03/2002;

PCT/US 02/03361, FILED 02/07/2002;  
PCT/US 02/38439, FILED 12/03/2002;

US 10/361,358, FILED 02/11/2003;  
US 10/361,859, FILED 02/11/2003;  
US 60/471,735, FILED 05/20/2003;

